

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CHAD MATTHEWS,
Petitioner,

VS.

REBECCA TAMEZ, Warden,
FMC-Fort Worth,
Respondent.

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CIVIL ACTION NO.4:08-CV-328-Y

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2241 of petitioner Chad Matthews, along with the January 9, 2009, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until January 29 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the findings, conclusions and recommendation. The Court concludes that, for the reasons stated by the magistrate judge, the motion to dismiss of respondent Tamez should be granted in that the petition for writ of habeas corpus should be denied.

The findings, conclusions and recommendation of the magistrate judge are ADOPTED. The motion to dismiss [docket no. 18] is GRANTED and petitioner Chad Matthews's petition for writ of habeas corpus under 28 U.S.C. § 2241 is DENIED.

SIGNED February 9, 2009.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE